

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 03, 2023

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Keith Bennett Gordon Studhorse, II Case Number: 0980 2:16CR00087-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Senior U.S. District Judge

Date of Original Sentence: December 7, 2016

Original Offense: Count 1: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2); Count 2: Violent Felon in Possession of Body Armor, 18 U.S.C. §§ 931(a) and 924(a)(7)

Original Sentence: Prison - 84 months
TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: George J.C. Jacobs, III Date Supervision Commenced: May 20, 2022

Defense Attorney: John Barto McEntire, IV Date Supervision Expires: May 19, 2025

PETITIONING THE COURT

To issue a warrant.

On May 23, 2022, the offender's conditions of supervision were reviewed by his supervising officer and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition #1:** You must not commit another federal, state or local crime.**Supporting Evidence:** The offender is alleged to have violated mandatory condition number 1 by committing the offense of driving under the influence of alcohol, on or about December 28, 2022.

On or about December 28, 2022, Mr. Studhorse was arrested for driving under the influence of alcohol, Spokane Municipal Court, case number 2A0577597. He was booked into Spokane County Jail, but was released from custody on his own recognizance on December 29, 2022. His next hearing is scheduled for January 10, 2023, in Spokane Municipal Court.

According to Spokane Police Department incident report number 2022-20230254, on or about December 28, 2022, law enforcement responded to a two-vehicle collision involving the offender's vehicle. The responding officer asked Mr. Studhorse to wait on the sidewalk away from his vehicle and he observed an open alcohol beverage in the center console of the

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offender's vehicle. Mr. Studhorse proceeded to go back to his vehicle and when the officer commanded him to step away, he displayed his middle finger. The officer believed the offender may be trying to tamper with evidence, so in response, Mr. Studhorse was placed in handcuffs. Further, Mr. Studhorse was slurring his words and a strong odor of alcohol was emitting from his person.

Mr. Studhorse agreed to participate in field sobriety testing, at which time the officer concluded that he was intoxicated. Mr. Studhorse was taken to the Spokane Public Safety building where he submitted to Breathalyzer testing, which registered 0.222, 0.228, and 0.231 BAC, respectively.

- 2 **Special Condition #3:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: The offender is alleged to have violated special condition number 3, by consuming alcohol on or about December 28, 2022.

As previously noted, Mr. Studhorse was arrested for driving under the influence of alcohol on or about December 28, 2022. Following his arrest, he submitted to Breathalyzer testing, which registered 0.222, 0.228, and 0.231 BAC, respectively.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 3, 2023

s/Lori Cross

Lori Cross

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Thomas O. Rice

United States District Judge

January 3, 2023

Date